

**PLANNING AND ZONING MEETING
TUESDAY, JUNE 23, 2015
CITY COUNCIL CHAMBERS**

These minutes are a summary of the meeting. For full details view online at www.casperwy.gov on the Planning Commission web page. The Planning and Zoning Commission held a meeting at 6:00 p.m., on Tuesday, June 23, 2015, in the Council Chambers, City Hall, 200 North David Street, Casper, Wyoming.

Members Present: James Holloway
Don Redder
Bob King
Randy Hein
Monte Henrie
Ryan Waterbury
Mary England

Absent Members: None

Others present: Craig Collins, City Planner
Aaron Kloke, Planner I
Dee Hardy, Administrative Assistant II
Wallace Trembath, Assistant City Attorney
Jason Knopp, City Engineer
Travis Rodriguez, 1064 South Boxelder Street
Carol Hawkey, 1748 South Jackson Street
David Reid, 611 Shannon Drive
Jim Jones, 6080 Enterprise Drive
Enrique Jimenez, 1134 North Lincoln Street
Keith Rowe, 1148 North Lincoln Street

II. MINUTES OF THE PREVIOUS MEETING

Chairman Holloway asked if there were additions or corrections to the minutes of the May 26, 2015 Planning & Zoning Commission meeting.

Chairman Holloway noted the word "Vice" should be changed to "Chairman" on page 5 and page 6. Mr. King noted that the Assistant Attorney attending the meeting was Will Chambers instead of Wallace Trembath.

Chairman Holloway called for a motion to approve the minutes of the May 26, 2015 Planning & Zoning Commission as amended.

Mr. King made a motion to approve the minutes of the June 26, 2015 meeting as amended. The motion was seconded by Mr. Henrie. All those present voted aye. Minutes approved.

III. PUBLIC HEARING

The Chairman advised the applicants that it takes four (4) affirmative votes to carry any motion not just a majority of those commission members present. Anything less than four (4) votes is a denial. Applicants can postpone their public hearing until next month in anticipation of more Planning Commission members being present, if they so desire.

Chairman Holloway entertained a motion to remove Case PLN-15-027-Z from the table for consideration.

Mr. Redder made a motion to remove case PLN-15-027-Z from the table for consideration. The motion was seconded by Ms. England. All those present voted aye. Motion carried.

Chairman Holloway asked for the staff report.

PLN-15-027-Z – (Tabled May 26, 2015) Petition for a Zone Change of Lots 11, 13, and 14 and Lots 16-17, Block 139, and Lots 7-9, and Lot 13 S 25', Block 154, Casper Addition, located at 1016, 1043, 1049, 1050, 1063, 1064 South Boxelder Street, from R-6 (Manufactured Home (Mobile) Park) to R-5 (Mixed Residential). Applicant: Stefanie Strang, Carol Hawkey, Patricia Collesano, Jaime Morales.

Aaron Klope, Planner I, presented the staff report and stated staff considers the requested zone changes to be in general conformance with the comprehensive land use plan. The Planning and Zoning Commission has the option to either approve, deny, table, or continue the property owners' petition to rezone the lots listed above from R-6 (Manufactured Home (Mobile) Park) to R-5 (Mixed Residential), and will forward its recommendation to the City Council.

Mr. Klope entered six (6) exhibits into the record.

Chairman Holloway opened the public hearing and asked for the person representing the case to come forward and explain the application.

Travis Rodriguez, 1064 South Boxelder Street, spoke in favor of this case.

Chairman Holloway opened the public hearing and asked for anyone wishing to comment in favor of or opposition to this case.

Carol Hawkey, 1748 South Jackson Street, spoke in favor of this case.

David Reid, 611 Shannon Drive, spoke in opposition of this case.

There being no others to speak, Chairman Holloway closed the public hearing and entertained a motion to approve, deny, or table the rezoning.

Mr. Henrie made a motion to approve the zone change of Lots 11, 13, and 14 and Lots 16-17, Block 139, and Lots 7-9, and Lot 13 S 25', Block 154, Casper Addition, located at 1016, 1043, 1049, 1050, 1063, 1064 South Boxelder Street, from R-6 (Manufactured Home (Mobile) Park) to R-5 (Mixed Residential) and forward a "do pass" recommendation to Council. The motion was seconded by Mr. King. All those present voted aye with the exception of Chairman Holloway who voted nay. Motion passed.

The Chairman advised the applicants that it takes four (4) affirmative votes to carry any motion not just a majority of those commission members present. Anything less than four (4) votes is a denial. Applicants can postpone their public hearing until next month in anticipation of more Planning Commission members being present, if they so desire.

PLN-15-033-R – Petition to vacate and replat Lots 3, 4 & the North 25' of Lot 5, Block 19, Nelson's Addition, to create Nelson's Addition, Lots 15, 16, 17 and 18, Block 19, comprising 0.467-acres, more or less, located at 1125, 1129, 1131, and 1135 North Beech Street. Applicant: Gramma's Properties, LLC.

Aaron Kloke, Planner I, presented the staff report and stated that should the Planning and Zoning Commission find that the replat meets the requirements of the Casper Municipal Code and approve, with a "do-pass" recommendation to the City Council, the replat creating Nelson's Addition, Lots 15, 16, 17 and 18, Block 19, staff does not have any recommended conditions of approval for the Planning and Zoning Commission's consideration; however, should the Planning and Zoning Commission wish to recommend conditions of approval to the City Council, it is within the Commission's authority to do so.

Ms. Kloke entered six (6) exhibits into the record.

Chairman Holloway opened the public hearing and asked for the person representing the case to come forward and explain the application.

Jim Jones, CEPI (Civil Engineering Professionals), 6080 Enterprise Drive, spoke in favor of this case.

Chairman Holloway asked for anyone wishing to comment in favor of or opposition to this case.

There being no one to speak, Chairman Holloway closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-15-033-R, regarding the proposed Nelson's Addition, Lots 15, 16, 17 and 18, Block 19, and forward a "do pass" recommendation to City Council.

Mr. Redder made a motion to approve case PLN-15-033-R, replat creating Nelson's Addition, Lots 15, 16, 17 and 18, Block 19, and forward a "do pass" recommendation to Council. The motion was seconded by Mr. Waterbury. All those present voted aye. Motion passed.

The Chairman advised the applicants that it takes four (4) affirmative votes to carry any motion not just a majority of those commission members present. Anything less than four (4) votes is a denial. Applicants can postpone their public hearing until next month in anticipation of more Planning Commission members being present, if they so desire.

PLN-15-034-C – Petition for a Conditional Use Permit for a detached accessory structure (carport) to be located on two (2) separate and adjacent lots from the principal building (home), in an R-3 (One to Four Unit Residential) zoning district, on North Casper Addition, Block 24, Lots 139-140, located directly north of the principal building at 1134 North Lincoln Street. Applicant: Enrique Jimenez.

Aaron Klope, Planner I, presented the staff report and stated that should the Planning and Zoning Commission find that the requested Conditional Use Permit meets the two (2) reasons and six (6) findings necessary for the approval of a Conditional Use Permit found in Section 17.12.240 (G) and (H) of the Casper Municipal Code, staff recommends that the Planning and Zoning Commission include the following conditions of approval:

1. The proposed carport (detached accessory dwelling) shall adhere to all minimum setback requirements as outlined in the Casper Municipal Code.
2. Lots 139 and 140, Block 24, North Casper Addition shall never be separated, or sold separately from Lots 141-142, Block 24, North Casper Addition, on which the principal dwelling unit is located. Separation of the carport from the principal dwelling unit shall necessitate the immediate removal of said carport, with or without notice from the City.
3. In that only one garage or carport is permitted on the property, the applicant shall immediately remove the existing one-car carport currently located on the property, and apply for a building permit prior to the commencement of further construction on the carport.
4. Pursuant to Section 17.12.070(A)(12)(a), all parking surfaces, including driveways to garages or carports, shall be paved with either asphalt or concrete in accordance with the City's standard specifications for street construction.

5. Pursuant to Section 17.12.240(I), if the Conditional Use Permit has not been exercised, and the work completed within one (1) year from the date of issuance, such Conditional Use Permit shall be void, and have no further force or effect.

Ms. Kloke entered five (5) exhibits into the record.

Chairman Holloway opened the public hearing and asked for the person representing the case to come forward and explain the application.

Enrique Jimenez, 1134 North Lincoln Street, spoke in favor of this case.

Chairman Holloway asked for anyone wishing to comment in favor of or opposition to this case.

Keith Rowe, 1134 North Lincoln Street, spoke in favor of this case.

There being no one to speak, Chairman Holloway closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-15-034-C, Conditional Use Permit for a detached accessory structure (carport) to be located on two (2) separate and adjacent lots from the principal building (home), in an R-3 (One to Four Unit Residential) zoning district, on North Casper Addition, Block 24, Lots 139-140, located directly north of the principal building at 1134 North Lincoln Street.

Ms. England made a motion to approve case PLN-15-034-C finding it met the two (2) reasons and six (6) findings necessary for the approval of a Conditional Use Permit found in Section 17.12.240 (G) and (H) of the Casper Municipal Code, and with Conditions #1-5 listed in the staff report. The motion was seconded by Mr. Redder. All those present voted nay with the exception of Mr. Henrie, Mr. King and Mr. Redder who voted aye. Motion failed.

The Chairman advised the applicants that it takes four (4) affirmative votes to carry any motion not just a majority of those commission members present. Anything less than four (4) votes is a denial. Applicants can postpone their public hearing until next month in anticipation of more Planning Commission members being present, if they so desire.

PLN-15-037-Z – Petition for a Zone Change of proposed Lot 1, YMCA Addition, located at 315 East 15th Street, from R-4 (High Density Residential) and PH (Park Historic) to R-4 (High Density Residential). Applicant: City of Casper.

Aaron Kloke, Planner I, presented the staff report and stated that staff considers the requested zone change to be in general conformance with the comprehensive land use plan. The Planning and Zoning Commission has the option to approve, deny, table, or continue the rezone request, and will forward its recommendation to the City Council.

Ms. Klope entered five (5) exhibits into the record.

Chairman Holloway opened the public hearing and asked for the person representing the case to come forward and explain the application.

Craig Collins, City Planner, spoke in favor of this case.

Chairman Holloway asked for anyone wishing to comment in favor of or opposition to this case.

There being no one to speak, Chairman Holloway closed the public hearing and entertained a motion to approve, deny, or table PLN-15-037-Z, regarding the rezoning.

Ms. England made a motion to approve case PLN-15-027-Z, the rezoning of proposed Lot 1, YMCA Addition, located at 315 East 15th Street, from R-4 (High Density Residential) and PH (Park Historic) to R-4 (High Density Residential), and forward a "do pass" recommendation to City Council. The motion was seconded by Mr. Hein. All those present voted aye. Motion carried.

IV. COUNCIL ACTIONS:

There were none.

V. SPECIAL ISSUES:

There were none.

VI. COMMUNICATIONS:

A. Commission:

Chairman Holloway stated overall he was pleased with the revisions of the staff reports, however, he felt the staff report for the Conditional Use Permit needed some refining. He apologized to Ms. England for what she went through making the motion for this particular case, and filled her in on his concerns with the way staff reports had been written. Mr. Collins advised that the staff reports for Conditional Use Permits could be discussed in a future training session.

B. Community Development Director:

Craig Collins, City Planner, stated that it had come to staff's attention there was some confusion regarding the time for Planning and Zoning Training on Wednesday, June 24, 2015, and it is scheduled to begin at 11:30 a.m. He mentioned that it would be a joint training with Natrona County Planning and Zoning Commissioners.

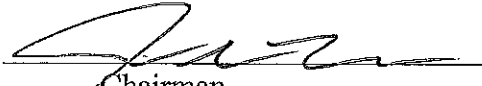
Other Communications:

There were none.

- C. Council Liaison:
There were none.

VII. ADJOURNMENT

Chairman Holloway called for a motion for the adjournment of the meeting. A motion was made by Mr. Hein and seconded by Mr. Henrie to adjourn the meeting. All present voted aye. Motion carried. The meeting was adjourned at 7:38 p.m.


Chairman


Secretary